

AMENDMENTS TO THE DRAWINGS

The attached replacement sheets of drawings include changes to FIG. 2 and FIG.3. Each attached replacement sheet replaces the corresponding original sheet that includes FIG. 2 and the original sheet that includes FIG.3.

In FIG. 2, reference to " $d_1 < d_2 < d_3$ " has been removed. The reference characters 114b, 115b, 115c, and 116b have been used to designate separate and distinct elements, respectively. Specifically, each of the reference characters has a corresponding leader line to describe different elements shown. Further, the features 114, 115, and 116, that have diameters d_1 , d_2 , and d_3 , respectively, have been amended to show the relationship " $d_1 < d_2 < d_3$." Furthermore, "Section A," that previously included reference numerals 10, 19, and 18, has been expanded to include reference numerals 18, 19, 115, 10, 18a, and 13c.

FIG. 3 shows the features included in "Section A" of FIG. 2. Accordingly, amended FIG. 3 shows features 18, 19, 115, 10, 18a, and 13c. Additionally FIG. 3 shows the diameters d_1 , d_2 , and d_3 of features 114, 115, and 116, respectively. FIG. 3 further shows that d_1 is less than d_2 , and d_2 is less than d_3 .

Attachments following last page of this Amendment:

Replacement Sheets (2 pages)

REMARKS

Claims 1, 2, and 4-7 are now pending, with claim 1 being independent. Claim 3 has been cancelled without prejudice or disclaimer. Claims 1 and 4-7 have been amended. Figures 2 and 3 have been amended. Support for the amendments are found throughout the specification, for example, in paragraphs [0017], [0023], [0080]. No new matter has been introduced.

Drawings

The drawings have been objected to. Amendments to the figures 2 and 3 that are shown in the attached two replacement sheets obviate the rejections for the reasons described above. Accordingly, applicants respectfully request that the objections to the drawings be withdrawn.

35 U.S.C. § 103

Claims 1-3 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Reinsma 1 (U.S. Patent No. 3,463,560) in view of Reinsma 2 (U.S. Patent No. 3,601,454). Claims 4-7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Reinsma 1, Reinsma 2, and further in view of Purcell (U.S. Patent No. 4,817,746). Amendments to the claims obviate the rejections because neither Reinsma 1, Reinsma 2, nor Purcell, taken alone or in any combination describe or suggest "wherein outside diameters of the first ring, the second ring, and the third ring are d_1 , d_2 , and d_3 , respectively, a relationship between d_1 , d_2 , d_3 is $d_1 < d_2 < d_3$," as recited in amended claim 1.

Reinsma 1 teaches a hinge construction for coupling two members which pivot relative to each other. *See Reinsma 1*, col. 1, lines 14, 15. Reinsma 2 teaches a cartridge joint for a heavy-duty track chain having fork-and-blade type track links and midpitch drive lugs. *See Reinsma 2*, Abstract. The Office concedes that the proposed combination of Reinsma 1 and Reinsma 2 does not teach "a relationship between d_1 , d_2 , d_3 is $d_1 < d_2 < d_3$." *See Office Action*, page 5, last paragraph – page 6, 1st paragraph.

Thus, the proposed combination of Reinsma 1 and Reinsma 2 does not describe or suggest all the features of amended claim 1.

The Office further states that it would have been obvious to modify Reinsma 1 and Reinsma 2 in a manner as recited in the claims as an alternative configuration. See *Office Action*, page 6, 1st paragraph. Applicants respectfully disagree because the Office has not provided any articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. See *M.P.E.P. § 2143.01 (IV)*.

The M.P.E.P. states that in order to rely on equivalence as a rationale supporting an obviousness rejection, the equivalency must be recognized in the prior art, and cannot be based on applicant's disclosure or the mere fact that the components at issue are functional or mechanical equivalents. See *M.P.E.P. § 2144.06 (II)*. The Office does not provide any evidence to support the assertion that either Reinsma 1 or Reinsma 2 recognized that a pin assembly, as claimed, is equivalent to a pin assembly as described in the proposed combination.

As described in the specification, the sizes of the outside diameters of the three rings are designed according to the relationship recited in claim 1 so that the rings can easily be press fitted into each other. See *Specification*, [0080]. Further, the specification describes that the relationship prevents a ring from being press fitted to the incorrect ring and facilitates accurate press fitting. See *id.* The Office also does not provide any evidence to support the assertion that either Reinsma 1 or Reinsma 2 recognized press-fitting as a method to place adjacent rings in contact with each other. Such evidence cannot be found in either Reinsma 1 or Reinsma 2. Whereas Reinsma 2 describes abutment surfaces (76 and 78) to place a shoulder 63, a rotatable bushing 75, and a ring 65, in contact with each other (see *Reinsma 2*, col. 2, lines 24-28), Reinsma 1 describes that the rings are not at all in contact with each other (see *Reinsma 1*, fig. 3.). Neither of the two references describe press-fitting peripheries of rings with each other. Thus, the Office appears to rely on applicant's disclosure to support its conclusion that the claimed relationship is obvious. Such hindsight reliance is impermissible.

For these reasons, the proposed combination of Reinsma 1 and Reinsma 2 does not describe or suggest "wherein outside diameters of the first ring, the second ring, and the third ring are d_1 , d_2 , and d_3 , respectively, a relationship between d_1 , d_2 , d_3 is $d_1 < d_2 < d_3$," as recited in amended claim 1. Purcell does not teach this feature and consequently does not remedy the deficiencies of Reinsma 1 and Reinsma 2. Accordingly, claim 1 and all its dependents are patentable.

Applicants respectfully request reconsideration and allowance of the above-referenced application.

CONCLUSION

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the applicant's decision to amend or cancel any claim should not be understood as implying that the applicant agrees with any positions taken by the examiner with respect to that claim or other claims.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant : Shota Murakami et al.
Serial No.: 10/574,977
Filed : April 7, 2006
Page : 9 of 9

Attorney's Docket No.: 23697-0015US1 / NF-2981

No fee is believed due. Please apply charges or credits, if any, to deposit account 06-1050.

Respectfully submitted,

Date: October 19, 2009

/ Sushil Shrinivasan L0368 /

Sushil Shrinivasan
Reg. No. L0368

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (877) 769-7945

40581693.doc